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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/850,181	05/07/2001	Frederick Murray Burg	2000-0012	1252
30083	7590	03/11/2005	EXAMINER	
PERKINS COIE LLP/AWS P.O. BOX 1247 SEATTLE, WA 98111-1247			ANWAH, OLISA	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/850,181

Applicant(s)

BURG ET AL.

Examiner

Olisa Anwah

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-20, 23, 26 and 28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21, 22, 24, 25, 27 and 29-41 is/are rejected.
- 7) ☒ Claim(s) 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2645

DETAILED ACTION

Claim Objections

1. Claim 29 recites the limitation "stored status information" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 21, 22, 24, 25, 27, 30, 31 and 34-41 are rejected under 35 U.S.C. § 102(e) as being anticipated by Voit et al, U.S. Patent No. 6,215,790 (hereinafter Voit).

Regarding claim 21, Voit discloses a method of providing status information of a user to a requestor comprising storing

Art Unit: 2645

information about a plurality of communication devices associated with the user, wherein at least two of the plurality of communication devices are each associated with different respective networks in the multi-networked environment; querying one or more of the networks in a multi-networked environment for status information about the plurality of communication devices associated with the user; receiving status information regarding the communication devices from the respective networks; selecting one of the communication devices based on the status information; and providing the requestor with an identification of the selected communication device to which the user can most likely be reached (see Figure 6A and 6B).

Regarding claim 22, see Figure 6A and 6B.

Regarding claim 24, see Figure 6A and 6B.

Regarding claim 25, see Figure 6A and 6B.

Regarding claim 27, see Figure 6A and 6B.

Regarding claim 30, see column 27.

Regarding claim 31, see column 27.

Regarding claim 34, see Figures 6A and 6B.

Regarding claim 35, see columns 27 and 28.

Regarding claim 36, see columns 27 and 28.

Regarding claim 37, see columns 27 and 28.

Regarding claim 38, see Figure 1.

Art Unit: 2645

Regarding claim 39, see Figure 1.

Regarding claim 40, see Figure 1.

Regarding claim 41, see Figure 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 32 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Voit in view of Tang et al, U.S. Patent No. 5,960,173 (hereinafter Tang).

Regarding claim 32, Voit teaches the claimed storing, querying, receiving, evaluating, selecting and redirecting steps (see Figures 6A-B and columns 27-28). Voit does not teach the status information indicates when the devices were last active. However Tang discloses this limitation (column 8). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Voit with the status information taught by Tang. This modification would have

Art Unit: 2645

improved the efficiency of Voit by allowing calls to be routed to active devices.

6. Claim 33 is rejected under 35 U.S.C § 103(a) as being unpatentable over Voit in view of Klug et al, U.S. Patent No. 5,790,785 (hereinafter Klug).

With respect to claim 33, Voit fails to teach the storing is performed through an Internet portal site by providing the user with a predetermined registration procedure to enroll in the service of the method. However Klug discloses this limitation (see columns 1 and 2). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Voit with the Internet portal site taught by Klug. This modification would have improved the user friendliness of Voit by allowing subscriber's to modify their profiles as suggested by Voit (see Figure 13).

7. Claim 29 is rejected under 35 U.S.C § 103(a) as being unpatentable over Voit.

Regarding claim 29, Voit does not explicitly disclose the claimed updating method. "Official Notice" is taken that this limitation is both old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at

Art Unit: 2645

the time the invention was made to modify Voit with updating stored status information regularly. This modification would have improved the efficiency of Voit by allowing the system to easily detect presence information.

Response to Arguments

8. Applicant incorrectly alleges Communication between devices in Voit occurs only through one shared network. Voit discloses communication occurs through a public packet data network (31) and a PSTN network (47). Therefore Voit discloses the claimed multi-networked environment.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened

Art Unit: 2645

statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Application/Control Number: 09/850,181

Page 8


Art Unit: 2645

O.A

Olisa Anwah

Patent Examiner

March 4, 2005



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SUPERVISORY PATENT EXAMINER
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